

IN RE: Petition for Special Hearing  
NW intersection Powers Lane and N. Rolling Road  
1100 N. Rolling Road  
1st Election District  
1st Councilmanic District  
Rolling Road Plaza, Inc.  
Owner/Petitioner

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 94-185-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Hearing, for that property located at the northwestern intersection of Powers Lane and N. Rolling Road known as Rolling Road Plaza. As stated in the Petition, the property owner seeks approval of amendments to site plans in the previously approved zoning cases:

1. Case No. 70-138-X, Petition for Special Exception for a service garage;
2. Case No. 73-78-SPH, Petition for Special Hearing for offstreet parking in a residential zone; and
3. Case No. 83-274-X, Petition for Special Exception for a community building in a B.L. zone.

Specifically, the Petitioner seeks to expand the area of the special exception for a community building and to update the site plans with regard to the Special Exception for a service garage and the Special Hearing for offstreet parking in a residential zone to conform the plans filed with Baltimore County to that which exists in the field.

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Date 12/16/93  
By [Signature]

The Petition was filed by Rolling Road Plaza, Inc., the legal owner of the property. The Petitioner is represented by G. Scott Barhight, Esquire. Several witnesses appeared on behalf of the Petitioner. They included Robert M. Staugaitis, the Regional Operations Director for the Petitioner who explained the facts which have brought the Petitioner to this request. Approximately one year ago a fire occurred on a portion of the premises and the amendments to the site plan are consistent with the remodeling efforts being performed by the Petitioner to upgrade and reconstruct the shopping center. Also testifying was Jean Tansey, of Daft-McCune-Walker. Ms. Tansey, an expert landscape architect and land planner assisted in the preparation of the site plan offered as Petitioners' Exhibit 1. She also testified that the Petition, if granted, met the requirements of Baltimore County Zoning Regulations (BCZR) Section 502.1 as they govern special hearings relative to the circumstances of this case. Ms. Tansey further testified that the changes requested will have no adverse impact on the health, safety or general welfare of the surrounding community. Mr. Peter Kasdas, the owner of Spa Lady, was also present. Spa Lady is the tenant which enjoys the Special Exception for a community building. Mr. Kasdas intends to further serve his customers by expanding the Spa Lady as a part of the remodeling and upgrading of the center.

In addition to the Petitioner's case, Mr. Charles Sprague, representing the Westerlee Community Association was present. Mr. Sprague did not offer any testimony in opposition to the Petition. However, Mr. Sprague did identify traffic concerns

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Date 12/16/93  
By [Signature]

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regarding the intersection of N. Rolling Road and Powers Lane. In response to this concern, Ms. Tansey and Mr. Staugaitis testified that there should be no significant difference in the volume of traffic associated with the expansion of the Special Exception area for the community building. If anything, since the second floor offices destroyed by the fire have been removed from the center, there is likely to be a reduction in the total traffic volume generated by the center.

The property itself contains approximately .77 acres zoned DR3.5 and 5.81 acres zoned B.L. The property is currently improved by a shopping center which was recently damaged by fire. In an effort to rebuild and remodel, the Petitioner is investing considerable resources to improve the shopping center. As a part of these improvements, an existing tenant, Spa Lady, desires to expand. This expansion requires that the area of the Special Exception for a community building also be expanded. The amendments to the site plan relative to the Special Exception for a service garage and Special Hearing for offstreet parking in a residential zone are more in the nature of housekeeping and do not generate any significant changes to the site plan. It is clear from the testimony that the requirements of BCZR Section 502.1 have been met. Further, it is equally clear that the amendments to the site plan will have no adverse impact on the health, safety, or general welfare of the community.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the Petition for Special Hearing should be granted.

ORDER RECEIVED FOR FILING

Date 12/16/93  
By [Signature]

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THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 6<sup>th</sup> day of December, 1993 that the Petition for Special Hearing be and is hereby granted to approve the amendments to the site plan as shown on Petitioner's Exhibit 1; subject, however, to the following restrictions:

The Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the thirty (30) day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

Timothy M. Kotroco  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner of  
Baltimore County

ORDER RECEIVED FOR FILING

Date 12/16/93  
By [Signature]

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Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 113 Courthouse  
400 Washington Avenue  
Towson, MD 21204

December 6, 1993

(410) 887-4386

G. Scott Barhight, Esquire  
210 West Pennsylvania Avenue, Suite 500  
Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING  
NW/Intersection of Powers Lane and N. Rolling Road  
(1100 N. Rolling Road)  
1st Election District - 1st Councilmanic District  
Rolling Road Plaza, Inc. - Petitioner  
Case No. 94-185-SPH

Dear Mr. Barhight:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

Timothy M. Kotroco  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

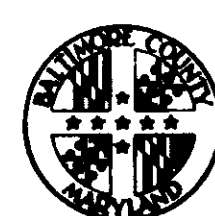
TWK:bjs

cc: Mr. Robert M. Staugaitis, c/o Rolling Road Plaza, Inc.  
Gateway International, 1302 Concourse Drive, Suite 202  
Linthicum, Md. 21090

Ms. Jean Tansey, c/o Daft-McCune-Walker, Inc.  
200 E. Pennsylvania Avenue, Towson, Md. 21286

Mr. Charles Sprague  
2125 Cedar Circle Drive, Baltimore, Md. 21228

People's Counsel; File



Petition for Special Hearing  
to the Zoning Commissioner of Baltimore County  
for the property located at 1100 North Rolling Road

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

SEE ATTACHED SHEET

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Current Purchaser Name:

Type or First Name:

Signature:

Address:

City:

State:

Zip:

Phone:

City:

State:

Zip:

Phone:

City:

State:

Zip:

Phone:

With no solemnity and under the penalty of perjury, that I am the legal owner(s) of the property which is the subject of this Petition.

Legal Owner: Rolling Road Plaza, Inc.

By: Robert M. Staugaitis, Regional Operations Director

Signature: [Signature]

Type or First Name:

Signature:

Gateway International

1302 Concourse Drive, Suite 202

Linthicum, MD 21090

City, Address and phone number of representative to be contacted:

G. Scott Barhight

210 W. Pennsylvania Ave, Ste 500

Towson, MD 21204 832-2050

City, Address and phone number of representative to be contacted:

Signature:

Rolling Road Plaza, Inc.

City, Address and phone number of representative to be contacted:

Signature:

Rolling Road Plaza, Inc.

City, Address and phone number of representative to be contacted:

PETITION FOR SPECIAL HEARING

Rolling Road Plaza, Inc.  
1100 North Rolling Road

The Petitioner, Rolling Road Plaza, Inc., hereby petitions for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations to determine whether the Zoning Commissioner should approve amendments to the site plans in the following cases:

1. Case No. 70-138-X, Petition for Special Exception for a service garage;
2. Case No. 73-78-SPH, Petition for Special Hearing for off-street parking in a residential zone; and
3. Case No. 83-274-X, Petition for Special Exception for a community building in a B.L. zone.

Respectfully submitted,

G. Scott Barhight  
Whiteford, Taylor & Preston  
500 Court Towers  
210 W. Pennsylvania Avenue  
Towson, Maryland 21204  
(410) 832-2050

Attorney for Petitioner,  
Rolling Road Plaza, Inc.

183

Description  
To Accompany Zoning Petition

0.68 Acre Parcel

Part of Rolling Road Plaza, Inc. Property

West Side of Rolling Road

Northeast Side of Powers Lane

First Election District, Baltimore County, Maryland

DMW

Daft-McCune-Walker, Inc.

200 East Pennsylvania Avenue

Towson, Maryland 21206

410-296-1533

Fax: 296-1575

A Team of Land Planners,

Landscape Architects,

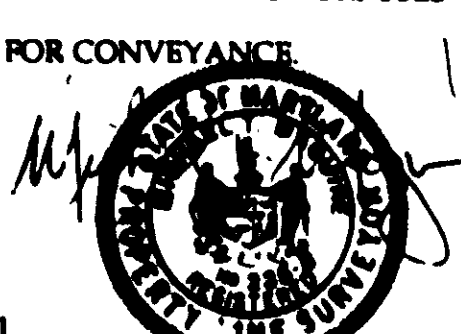
Engineers, Surveyors &

Environmental Professionals

Beginning from the same on the northeastern right-of-way line of Powers Lane, 60 feet wide, at the end of the second of the two following courses and distances measured from the point formed by the intersection of the centerline of Rolling Road with the centerline of Powers Lane (1) Northwestly along said centerline of Powers Lane 512 feet, more or less, and thence (2) North 19 degrees 03 minutes 44 seconds East 30 feet to the point of beginning, thence leaving said beginning point and binding on the said right-of-way line of Powers Lane (1) North 70 degrees 56 minutes 16 seconds West 125.56 feet, thence leaving said right-of-way line and running the four following courses and distances viz: (2) North 18 degrees 50 minutes 44 seconds East 158.44 feet, thence (3) North 18 degrees 02 minutes 44 seconds East 100.00 feet, thence (4) South 76 degrees 04 minutes 16 seconds East 101.10 feet, and thence (5) South 13 degrees 14 minutes 50 seconds West 268.85 feet to the point of beginning, containing 0.68 acres of land, more or less.

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE  
October 27, 1993  
Project No. 93067 (L93067.2)

Page 1 of 1



Description 74-185-SPH  
To Accompany Zoning Petition  
0.62 Acre Parcel  
Part of Rolling Road Plaza, Inc., Property  
West Side of Rolling Road  
Northeast Side of Powers Lane  
First Election District, Baltimore County, Maryland



Draft-MPC/Case-Walker, Inc.

200 East Pennsylvania Avenue  
Towson, Maryland 21204  
410-286-1333  
Fax: 286-4705

A Team of Land Planners,  
Landscape Architects,  
Engineers, Surveyors &  
Environmental Professionals

Beginning for the same on the western right-of-way line of Rolling Road,  
90 feet wide, at the end of the second of the two following courses and distances  
measured from the point formed by the intersection of the centerline of Rolling  
Road with the centerline of Powers Lane (1) Northwesterly along said centerline of  
Rolling Road 60 feet, more or less, and thence (2) Westerly 45 feet to the point of  
beginning, thence leaving said beginning point and binding on the western right-  
of-way line of Rolling Road (1) South 54 degrees 23 minutes 24 seconds West 30.00  
feet, thence binding on the northern right-of-way line of Powers Lane, (2) North 70  
degrees 56 minutes 16 seconds West 180 feet, thence leaving Powers Lane and  
running the six following courses and distances, viz: (3) North 19 degrees 03  
minutes 44 seconds East 110 feet, thence (4) South 70 degrees 56 minutes 16 seconds  
East 6 feet, thence (5) North 19 degrees 03 minutes 44 seconds East 15 feet, thence  
(6) South 70 degrees 56 minutes 16 seconds East 110 feet, thence (7) North 19  
degrees 03 minutes 44 seconds East 65 feet, thence (8) Due East 39.66 feet to intersect  
the aforementioned western right-of-way line of Rolling Road, thence binding on

Page 1 of 2

said line, southeasterly by a line curving to the right with a radius of 1055.00 feet  
for a distance of 184.02 feet (the arc of said curve being subtended by a chord  
bearing South 05 degrees 15 minutes 18 seconds West 183.79 feet) to the point of  
beginning, containing 0.62 acres of land, more or less.

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES  
ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE.

October 27, 1993

Project No. 93067 (L93067)



Page 2 of 2

Description 74-185-SPH  
To Accompany Zoning Petition  
0.27 Acre Parcel  
Part of Rolling Road Plaza, Inc., Property  
West Side of Rolling Road  
Northeast Side of Powers Lane  
First Election District, Baltimore County, Maryland



Draft-MPC/Case-Walker, Inc.

200 East Pennsylvania Avenue  
Towson, Maryland 21204  
410-286-1333  
Fax: 286-4705

A Team of Land Planners,  
Landscape Architects,  
Engineers, Surveyors &  
Environmental Professionals

Beginning for the same at the end of the second of the two following  
courses and distances measured from the point formed by the intersection of the  
centerline of Rolling Road with the centerline of Powers Lane (1) Northwesterly  
along said centerline of Powers Lane 485 feet, more or less, and thence (2) North 19  
degrees 03 minutes 44 seconds East 242 feet, more or less, to the point of beginning,  
thence leaving said beginning point and running the fourteen following courses  
and distances, viz: (1) along the west face of the west wall of the existing store  
North 19 degrees 03 minutes 44 seconds East 71.25 feet, thence (2) in part binding in  
the centerline of the dividing wall between the existing stores South 70 degrees 56  
minutes 16 seconds East 94 feet, thence (3) North 19 degrees 03 minutes 44 seconds  
East 3 feet, thence (4) South 70 degrees 56 minutes 16 seconds East 40 feet, thence (5)  
North 19 degrees 03 minutes 44 seconds East 32 feet, thence (6) South 70 degrees 56  
minutes 16 seconds East 34 feet, thence (7) South 19 degrees 03 minutes 44 seconds  
West 84 feet, thence (8) North 70 degrees 56 minutes 16 seconds West 34 feet,  
thence (9) South 19 degrees 03 minutes 44 seconds West 7.50 feet, thence (10) North  
70 degrees 56 minutes 16 seconds West 40 feet, thence (11) North 19 degrees 03

Page 1 of 2

minutes 44 seconds East 1.25 feet, thence (12) North 70 degrees 56 minutes 16  
seconds West 14 feet, thence (13) South 19 degrees 03 minutes 44 seconds West 16  
feet, and thence (14) binding in the centerline of the dividing wall between the  
existing stores North 70 degrees 56 minutes 16 seconds West 80 feet, to the point of  
beginning, containing 0.27 acres of land, more or less.

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES  
ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE.

October 27, 1993

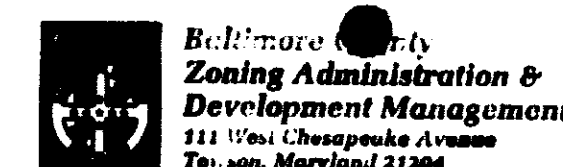
Project No. 93067 (L93067 1)



Page 2 of 2

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: \_\_\_\_\_ Date of Posting: 11/11/93  
Posted for: \_\_\_\_\_  
Petitioner: \_\_\_\_\_  
Location of property: \_\_\_\_\_  
Location of Sign: \_\_\_\_\_  
Remarks: \_\_\_\_\_  
Posted by: \_\_\_\_\_ Date of return: 11/13/93  
Number of Signs: \_\_\_\_\_



Date 10-27-93

ROLLING RD. PLAZA, INC. 1100 N. ROLLING RD.

SP HRL. (040) 250.00  
POSTING (080) 35.00  
285.00

0240280118W1CHRC \$285.00  
BA C003152PH10-27-93

Please Make Checks Payable To Baltimore County

CERTIFICATE OF PUBLICATION

TOWSON, MD., 11/11, 1993

THIS IS TO CERTIFY, that the annexed advertisement was  
published in THE JEFFERSONIAN, a weekly newspaper published  
in Towson, Baltimore County, Md., once in each of 1 successive  
weeks, the first publication appearing on 11/11, 1993.

THE JEFFERSONIAN,  
A. Henickson  
LEGAL AD. - TOWSON  
Publisher

111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to  
the general public/neighborhood property owners relative to property  
which is the subject of an upcoming zoning hearing. For those petitions  
which require a public hearing, this notice is accomplished by posting  
a sign on the property and placement of a notice in at least one  
newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and  
advertising are satisfied. However, the petitioner is responsible for the  
costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the  
time of filing.
- 2) Billing for legal advertising, due upon receipt, will come  
from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 183  
Petitioner: ROLLING RD. PLAZA, INC.  
Location: 1100 N. ROLLING RD.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: G. SCOTT BARLIGHT, Esq.  
ADDRESS: 210 W. PENNSYLVANIA AVE, 5th FL.  
TOWSON, MD. 21204  
PHONE NUMBER: 832-2050

AJ:ggg

(Revised 04/09/93)

TO: PUTNEY PUBLISHING COMPANY  
November 11, 1993 Issue - Jeffersonian

Please forward billing to:

G. Scott Barlight, Esq.  
210 W. Pennsylvania Avenue - 5th Floor  
Towson, Maryland 21204  
410-832-2050

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore  
County, will hold a public hearing on the property identified herein in  
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204.

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-185-SPH (Item 183)  
1100 N. Rolling Road  
NW intersection Powers Lane and N. Rolling Road  
1st Election District - 1st Conclaminic  
Owner/Petitioner: Rolling Road Plaza, Inc.  
HEARING: WEDNESDAY, DECEMBER 1, 1993 at 2:00 p.m. in Room 118, Old Courthouse.

Special Hearing to determine whether the Zoning Commissioner should approve amendments to the site plans  
in the following cases: 870-138-2, for a service garage; 873-78-SPH, for off-street parking in a  
residential zone; and 883-274-2, for a community building in a B-1 zone.

LAMARCE E. SCHWITZ  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATION PLEASE CALL 887-1353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-1391.





